

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : Consolidated Under MDL 875
LIABILITY LITIGATION (No. VI) :
 :
VARIOUS PLAINTIFFS :
 :
 :
v. : Cases Listed in
 : Exhibit "A," attached
VARIOUS DEFENDANTS :
 :

FILED

DEC - 6 2011

O R D E R

STATUS AND SCHEDULING CONFERENCE

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

AND NOW, this 6th day of December, 2011, it is hereby
ORDERED that in the cases listed in Exhibit "A," attached, a
status and scheduling conference will be held on **Tuesday, January
24th, 2012, at 2:00pm** in Courtroom 11A, United States Courthouse,
601 Market Street, Philadelphia, PA 19106. Prior to the
conference, counsel shall review and ascertain the status of each
case. **Please review the Frequently Asked Question sheet attached
to this Order for general information regarding cases in MDL 875.**

It is further ORDERED that prior to, or at, the conference,
Plaintiff's counsel in each action must inform the Court as to
the status of the case.¹

¹ If a status update is submitted to the Court prior to the
conference, appearance by Plaintiff's counsel is excused.
Defense counsel may appear at the conference to ascertain the
status of the case, but appearance by Defense counsel is not
required. The results of the hearing will be posted on the MDL
875 website at: www.paed.uscourts.gov/mdl875u.asp.

A status update should be made in writing, filed on the

It is further **ORDERED** that Plaintiff's counsel shall be prepared to provide the following information to the Court:

- a.) Each defendant with whom plaintiff has achieved resolution of his or her claim.
- b.) Each defendant that plaintiff now desires to dismiss from the action.
- c.) Each viable defendant that is still active in the case.

It is further **ORDERED** that, as to all viable, active defendants, counsel for the plaintiff in each case shall be prepared to report to the court:

- a.) Status of compliance with Administrative Order no. 12 as amended.
- b.) Any outstanding discovery.
- c.) Any discovery that is still needed and a timetable for its completion.
- d.) Whether the plaintiff has obtained a medical diagnosing report or opinion upon which the plaintiff now relies for prosecuting his or her claim, if so, counsel shall provide

docket **and** emailed to the MDL 875 law clerk,

Michele_Ventura@paed.uscourts.gov, or sent to:

The Honorable Judge Eduardo C. Robreno
Attn: MDL 875 Law Clerk
U.S. District Court, Eastern District of Pennsylvania
601 Market Street Room 2609
Philadelphia, PA 19106

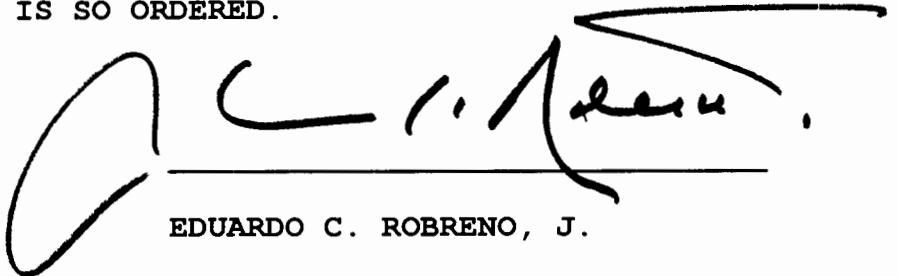
the name and address of the physician or medical provider who has supplied the diagnosing report or opinion.

e.) Any motions pending.

f.) Readiness for trial and a proposed trial date.³

It is further **ORDERED** that, prior to the hearing, Plaintiffs' counsel may provide the Court with a list of cases which may be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. The letter should include the E.D. Pa. case number, the name of the plaintiff(s), and whether the case should be dismissed with prejudice or dismissed as to the viable defendants and moved to the bankruptcy only docket. Those cases will be removed from the list, and appropriate orders will be entered.

AND IT IS SO ORDERED.



A handwritten signature in black ink, appearing to read 'Eduardo C. Robreno, J.', is written over a horizontal line. The signature is stylized with large, sweeping loops.

EDUARDO C. ROBRENO, J.

³ The court will order presumptively that any outstanding discovery be completed within 120 days from the date of the hearing.

FAQ SHEET FOR COUNSEL IN TAG-ALONG ACTIONS TRANSFERRED TO MDL-875

1. What is required now that the case has been transferred to MDL 875?

All counsel must be registered on the Electronic Case Filing ("ECF") system for the Eastern District of Pennsylvania ("EDPA"). Details on how to register can be found on the MDL 875 Website.

See

<http://www.paed.uscourts.gov/documents/MDL/MDL875/Admin.%20Order%2023.pdf>.

Plaintiff's counsel must also comply with Administrative Order No. 12, providing preliminary information about the case, within thirty (30) days of a cases transfer to MDL 875. See <http://www.paed.uscourts.gov/documents/MDL/MDL875/adord12.pdf>. Administrative Order No. 12 submissions should be filed on the cases's Eastern District of Pennsylvania docket. There is no longer an online database for submissions.

Additionally, all counsel must become familiar with the local and federal rules of civil procedure, as well as the procedures and administrative orders on the MDL 875 website. The MDL 875 website address is:

<http://www.paed.uscourts.gov/mdl875.asp>.

2. What is the procedure for *Pro Hac Vice* admission to the EDPA?

To be admitted *Pro Hac Vice* for purposes of MDL 875, no formal motion is required. However, to be admitted *Pro Hac Vice* for purposes of MDL 875, each attorney must register on ECF and submit a \$40 check to the Court. (see above). See also Rules of Procedure of the Judicial Panel on Multidistrict Litigation 1.4 ("Any attorney of record in any action transferred under Section 1407 may continue to represent his or her client in any district court of the United States to which such action is transferred. Parties to any action transferred under Section 1407 are not required to obtain local counsel in the district to which such action is transferred.")

3. What happens after my case is transferred to the EDPA?

A status and scheduling conference will be promptly set, and a scheduling order will be subsequently entered.

4. What occurs at the status and scheduling conference?

The status and scheduling conference is an informal administrative meeting. The MDL 875 law clerk will call all of the cases listed and inform counsel present of the status of each case. The cases will fall into one of three categories:

- (1) the case will be issued Judge Robreno's standard scheduling order
- (2) the case will be referred to one of four (4) Magistrate Judges that are involved in MDL 875
- (3) Plaintiff's counsel has informed the court that the case can be dismissed to the "bankruptcy only" docket (meaning only claims against bankrupt defendants will be pursued) or that the case has been settled in its entirety and can be marked "closed."

The status of all of the cases will be posted on the MDL 875 website shortly after the hearing.

5. Do I need to appear at the status and scheduling conference?

No. If you represent Plaintiff and provide the Court with the information required in the Order scheduling the status conference, appearance at the conference is excused. Defense counsel does not have to appear, and Defense counsel does not have to provide any information to the Court prior to the conference.

6. May I appear telephonically?

No. Telephonic appearance is not available.

7. There were motions pending in my case prior to transfer. What is the status of these motions?

All motions pending at the time of transfer that have not been granted or denied by the transferor court are denied without prejudice. *Motions must be re-filed on the EDPA docket.* If the motion was timely filed in the transferor court, it will be considered timely by the Eastern District of Pennsylvania. See Administrative Order No. 11, at 2;
http://www.paed.uscourts.gov/documents/MDL/MDL875/Amended_AO11.pdf
f.

8. How and when will the case get remanded back to the transferor court? [Not applicable to cases originally filed in the EDPA]

A suggestion of remand will be automatically entered in each case within thirty (30) days of the final summary judgment hearing and pre-remand conference. The date of this conference is the last date listed in the scheduling order.

Parties may file a Motion for Suggestion of Remand prior to that date. If the case complies with all of the requirements of Administrative Order No. 18 a suggestion of remand will be entered. See http://www.paed.uscourts.gov/documents/MDL/MDL875/Administrative_Order_18.pdf.

9. What is the procedure after Suggestion of Remand has been filed? [Not applicable to cases originally filed in the EDPA]

The Judicial Panel on Multidistrict Litigation ("JPML") is the best resource for procedures after the Eastern District of Pennsylvania has filed a Suggestion of Remand. See <http://www.jpml.uscourts.gov>. Once a Conditional Remand Order from the JPML is filed on the EDPA docket, the EDPA no longer has jurisdiction over the case and remand is effectuated.

EXHIBIT A, page 1 of 2

DATE	PA E.D. # (11-)	TRANSFER #	NAME OF PLAINTIFF	TRANSFER DIST./DIV.
11/3/2011	67753	11-00444	Kite, Cleveland G.	ALABAMA SOUTHERN - 2
11/3/2011	67754	11-00966	Wade, Randall and Carol	DELAWARE - 1
11/3/2011	67755	11-00915	Cockram, Douglas Leon and Dena	PENNSYLVANIA WESTERN - 2
11/3/2011	67756	11-05133	Quiroz- Green, Suzanne, et al.	CALIFORNIA NORTHERN - 4
11/3/2011	67757	11-005154	Young, Richard	CALIFORNIA NORTHERN - 4
11/4/2011	67760	11-05158	Quiroz- Green, Suzanne, et al.	CALIFORNIA NORTHERN - 4
11/4/2011	67761	11-00830	Rohr, Amy	ILLINOIS SOUTHERN - 3
	67762	11-09795	McCollister, Sam B.	VIRGINIA EASTERN - 2
11/8/2011	67763	11-09796	Monroe, William H., Jr.	VIRGINIA EASTERN - 2
11/8/2011	67764	11-09797	Schopp, Larry D.	VIRGINIA EASTERN - 2
11/10/2011	67765	11-01023	Michael, Paul H. and Sonia D.	DELAWARE - 1
11/15/2011	67766	11-01818	Abbay, Lynne	WASHINGTON WESTERN - 2
11/16/2011	67767	11-01682	Bulanda, Margaret A.	ILLINOIS NORTHERN - 1
11/29/2011	68739	86-00948	Collado, Herman L.	OHIO NORTHERN - 1
11/18/2011	67774	11-08970	McIndoe, James and Carol	CALIFORNIA CENTRAL - 2

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11/18/2011	67775	11-05256	Spilmon, Marie, et al.	CALIFORNIA NORTHERN - 4
11/18/2011	67776	11-09798	Brown, Donald L.	VIRGINIA EASTERN
11/28/2011	67777	11-05356	Nash, Phillip, et al.	CALIFORNIA NORTHERN - 3
11/28/2011	67778	11-05049	Stallcop, Floyd and Linda	CALIFORNIA NORTHERN - 3
11/28/2011	67779	11-03074	Donnelly, Pauline C.	SOUTH CAROLINA - 2
11/28/2011	67780	11-01744	Pray, Herbert	CONNECTICUT - 3
11/28/2011	67781	11-01554	Voliva, James	CONNECTICUT - 3
11/28/2011	67782	11-09799	Monroe, William H., Jr.	VIRGINIA EASTERN - 2
11/28/2011	67783	11-00814	Milberry, Thomas	ILLINOIS SOUTHERN - 3
11/30/2011	67784	11-01666	Bender, John and Susan	CONNECTICUT - 3
11/30/2011	67785	11-03367	Jones, Venise Faye	ALABAMA NORTHERN - 5
11/30/2011	67786	11-03367	Allen, Joe L.	ALABAMA NORTHERN - 5
11/30/2011	67787	11-03367	McDaniel, William	ALABAMA NORTHERN - 5
11/30/2011	67788	11-03367	Jones, Kenneth R.	ALABAMA NORTHERN - 5
11/30/2011	67789	11-03367	Blackwell, William M.	ALABAMA NORTHERN - 5
11/30/2011	67790	11-03367	Harbin, Hugh Ray	ALABAMA NORTHERN - 5
11/30/2011	67791	11-03367	Etherdige, Johnny H.	ALABAMA NORTHERN - 5
	67721	11-03376	Donlon, Patti, et al.	CALIFORNIA NORTHERN

Certificate of Service

MAILED:

ALAN BRAYTON
AMY PILLE
BRENDAN TUOHY
BRIAN KASPRZAK
BRIAN TRIPLETT
CATHERINE MCCORMACK
CHRISTOPHER MCILWAIN
CHRISTOPHER RODGERS
DONALD PATRIDGE
DONNA MAUL
DOUGLAS VONOISTE
EDWARD HUGO
EDWARD MACCABE
ELIZABETH MURRAY

ELLEN ASPELL
G. WIGGINS
GABRIEL JACKSON
GEORGE KEAHEY
GREGORY SCHEURING
JASON LUCKASEVIC
JEFFREY WILLIAMS
JOHN BRADLEY
JOI SCOTT
JONATHAN CHAPPELL
JOSETTE JOHNSON
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ALLISON LOW
ALLISON MULLINGS
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AMY TALARICO
ANDREA WINTERNITZ
ANNE MCCLURKIN
BASIL DISPIO
BETH VALOCCHI
BETHANY STAHLEY
BO KIM
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DAVID TRAYLOR
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DEMETRA CHRISTOS
DEMIAM STEELE
DEREK JOHNSON
DIANE GORCZYCA
DONALD BLYDENBURG
DONALD KINSLEY

GEORGE YARON
GONEN HAKLAY
GREGORY COCHRAN
GREGORY GOLDBERG
GROVER KEAHEY
GUS SUAREZ
GUY GLAZIER
HENRY ROME
HOWARD HALL
IAN MADROSEN
JAMES GLENN
JAMES HARRIS
JAMES OSTERTAG
JANE YEE
JANET RICE
JASON CINCILLA
JASON ROSE
JASON RUBIN
JEFFREY MARLIN
JENELLE EVANS
JENNIFER TECHMAN
JENNIFER WALTERS
JOHN SMYTH
JOHN SON
JONATHAN MEISLIN
JOSEPH REJANO
JOSEPH RHODES
KAREN ZELLO
KATHERINE COLLIER
KATHERINE GARDINER
KATHERINE WANG
KATHRYN LAFEVERS
KEITH PATTERSON
KEVIN GUERKE
KEVIN JAMISON
KIMBERLY CHU
KIP HARBISON

MICHAEL SENSOR
MICHAEL SIMONS
MICHAEL SMITH
MICHAEL TRUCCO
MICHAEL VERCHER
MOFFATT MCDONALD
NICHOLAS SKILES
NICHOLE HARDEE
PATRICK MAHONEY
PAUL BESSETTE
PAUL BRADLEY
PETER FABEN
PETER MURPHY
RALEY WIGGINS
RANDALL BERNARD
RICHARD BINZLEY
RICHARD CRUMP
RICHARD DIGHELLO
RICHARD GLASSER
RICHARD O'LEARY
ROBERT BAUGH
ROBERT LOVETT
ROBERT MERIWETHER
ROBERT SPRAIN
ROBERT SWICKLE
ROGER HEIDENREIC
ROSS PETTY
SCOTT GRIFFITH
SHAHRAH MILANFAR
SHELLEY TINKOFF
STEPHEN FISHBACK
STEVEN HAROWITZ
STEVEN OUZTS
STEWART MCCLOUD
THOMAS KENNADAY
THOMAS MAXWELL
THOMAS MOSES

Certificate of Service

E-MAILED(con't)

DONALD PARTRIDGE
EDWARD KEATING
EDWARD MCCAMBRIDG
EDWARD MCDONOUGH
EDWARD PAUL
ELAN STONE
EMILY BERGSTROM
ERNEST WETZLER
EVELYN DAVIS
FRANK LANKFORD
FRANK POND
FRANK REDDITT
GEOFF SLONIKER
GEORGE INABINET

KRISTA SAMIS
KSENIA SNLYK
LAURA YEE
LESA MEYERS
LINDA SELF
MARC GRECO
MARGARET FOSTER
MARK WALL
MARY BACK
MARY MALEY
MATTHEW DONELSON
MATTHEW ZAMALOFF
MELISSA RILEY
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MICHAEL PIETRYKOWS

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